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Attorney for Plaintiff Gregory Bender

6 || Attorneys for Defendant Motorola, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

Gregory Bender,

**Plaintiff,**

V.

Motorola, Inc.

**Defendant**

Case No. C09-01245 SBA (LB)

**STIPULATED REQUEST AND  
[PROPOSED] ORDER TO RESCHEDULE  
FURTHER CASE MANAGEMENT  
CONFERENCE**

WHEREAS, a Case Management Conference is currently set for September 22, 2010, at 2:30 P.M.

WHEREAS, the parties have reached a tentative settlement agreement.

WHEREAS, the parties need additional time to finalize their settlement agreement and file the requisite documents with the Court.

THE PARTIES HEREBY SUBMIT THIS STIPULATED REQUEST THAT the Court reschedule the Further Case Management Conference currently scheduled for September 22, 2010, to November 24, 2010, at 2:30 P.M., or any time thereafter, to allow the parties time to finalize their settlement agreement and file the requisite documents with the Court.

Respectfully submitted,

Dated: September 3, 2010 Jones Day

By: /s/ Greg L. Lippetz

Greg L. Lippetz  
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Counsel for Defendant Motorola, Inc.

In accordance with General Order No. 45, Section X(B), the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: September 3, 2010

By: /s/ David Kuhn

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Telephone: (510) 653-4983

Counsel for Plaintiff Gregory Bender

**PURSUANT TO STIPULATION,**

The September 22, 2010 Case Management Conference is CONTINUED to **December 1, 2010 at 3:00 p.m.** The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

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2 **IT IS SO ORDERED.**  
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DATED: 9/9/10

By: Saundra B. Armstrong  
THE HON. SAUNDRA BROWN ARMSTRONG  
United States District Court Judge